

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WARREN PEPICELLI, as he is TRUSTEE of the
UNITE NATIONAL HEALTH FUND; and as
he is TRUSTEE of the UNITE NATIONAL
RETIREMENT FUND,

Plaintiffs

vs.

A.T. SPORTSWEAR, INC.,
Defendant

C.A. No. 04-12632 REK

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT JUDGMENT
AGAINST A.T. SPORTSWEAR, INC.**

Now come the Plaintiffs (hereinafter, the “Funds”), and request the Clerk, pursuant to Rule 55(b)(l), Fed.R.Civ.P., to enter default judgment in favor of the Funds and against Defendant A.T. Sportswear, Inc. (hereinafter “A.T.”), holding A.T. liable for all unpaid contributions owed to the Funds, together with interest, statutory liquidated damages, and reasonable attorneys’ fees and costs as follows:

A.	Principal owed to the Funds through December, 2002	\$262,326.02
B.	Prejudgment interest on the unpaid contributions, as mandated by 29 U.S.C. §1132(g)(2)(B)	\$23,609.34
C.	Liquidated damages as mandated by 29 U.S.C. §1132(g)(2)(C)(i)	\$23,609.34
D.	Attorneys’ Fees as mandated by §1132(g)(2)(D)	\$1,507.00
E.	Costs	\$164.98
	TOTAL	\$311,216.68

As grounds therefore, Plaintiffs state that default has been entered against Defendant for failure to answer or otherwise defend as to the Complaint of the Plaintiffs. Plaintiffs' claim is for a sum certain. Finally, Defendant is neither an infant nor an incompetent person.

WHEREFORE, Plaintiffs respectfully request that default judgment be entered against A.T. Sportswear, Inc.

Respectfully submitted,

WARREN PEPICELLI, as he is TRUSTEE
of the UNITE NATIONAL HEALTH
FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman
Anne R. Sills, Esquire
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Dated: March 31, 2005

CERTIFICATE OF SERVICE

I hereby certified that the above Plaintiffs' Motion for Entry of Default Judgment Against A.T. Sportswear, Inc. has been served by certified and first class mail upon the defendant A.T. Sportswear c/o its principal Alceo Tenaglia at 62 Case Drive, Revere, MA 02151 this 31st day of March, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire